

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

LIONEL HARVEY,

Plaintiff,

v.

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.

Civil No. CV-04-5112-CI

ORDER

Based on the stipulation between the parties it is hereby ORDERED that the above-captioned case be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will further consider the evidence from the Department of Veterans Affairs, Dr. Schore's opinion, Nurse Jackson's opinion, and the medical evidence as a whole. The ALJ will also reconsider Plaintiff's subjective testimony. The ALJ will formulate a new residual functional capacity finding based on the evidence as a whole. The ALJ will perform a new step four and if necessary, step five, analysis. Plaintiff may present new arguments and

1 evidence. The ALJ may perform further development and conduct further
2 proceedings as necessary. Upon proper presentation, the Court will consider
3 Plaintiff's application for attorney fees under the Equal Access to Justice Act.

4 DATED this 19th day of September, 2005.

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7 S/ CYNTHIA IMBROGNO
8 UNITED STATES MAGISTRATE JUDGE

9 Presented by:

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